

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CLIFFORD WRIGHT III,

Plaintiff,

vs.

CITY OF OMAHA, OMAHA POLICE
DEPARTMENT, NICHOLAS YARPE,
#2082; and COLE JOHANNSEN, #2157;

Defendants.

8:22CV443

MEMORANDUM AND ORDER

On December 23, 2022, Plaintiff Clifford Wright III filed an unsigned Complaint, [Filing No. 1](#). On December 27, 2022, the Clerk of Court advised Plaintiff that his Complaint was unsigned and therefore deficient. The Clerk of Court directed Plaintiff to “correct the deficiency” (i.e., file a signed Complaint) within 14 days, or the pleading “may be stricken from the record of this case.” [Filing No. 4](#), Text Order. On January 3, 2023, Plaintiff submitted an unsigned copy of the signature page of his Complaint, [Filing No. 1 at 18](#), attached to his Motion for Leave to Proceed In Forma Pauperis (“IFP”). See [Filing No. 6 at 3](#).

Plaintiff is advised that the unsigned copy of his Complaint’s signature page fails to correct the signature deficiency, and his Complaint is still unsigned. Accordingly, the Court shall order Plaintiff to file a signed Complaint in accordance with [Federal Rule of Civil Procedure 11](#) and the Court’s Local Rules. To be clear, Plaintiff is directed to sign in the space labeled “Signature of Plaintiff” on the signature page of his Complaint, a copy of which will again be provided to him along with this Memorandum and Order. This matter cannot proceed until signature deficiency is corrected. FAILURE TO

CORRECT THE DEFECT WITHIN 30 DAYS WILL RESULT IN DISMISSAL OF THE COMPLAINT WITHOUT FURTHER NOTICE.

In addition, Plaintiff has filed a Motion for Leave to Proceed IFP. [Filing No. 6](#). Plaintiff paid the Court's \$402.00 filing and administrative fees on December 28, 2022. See Docket Sheet. The Court will, therefore, deny Plaintiff's IFP motion as moot.

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to correct the above-listed technical defect on or before **February 2, 2023**. To be clear, Plaintiff must file a signed copy of his Complaint by signing in the space labeled "Signature of Plaintiff" on the copy of the signature page of his Complaint enclosed with this Memorandum and Order. Failure to comply with this Memorandum and Order will result in dismissal of this matter without prejudice and without further notice.
2. The Clerk of Court is directed to send to Plaintiff a copy of the signature page of his Complaint, [Filing No. 1 at 18](#).
3. Plaintiff's Motion for Leave to Proceed IFP, [Filing No. 6](#), is denied as moot.
4. The Clerk of Court is directed to set a pro se case management deadline using the following text: **February 2, 2023**: deadline for signed Complaint.

Dated this 3rd day of January, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", written over a horizontal line.

Joseph F. Bataillon
Senior United States District Judge